



PECFA POST



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PECFA DOES NOT COVER NEW RELEASES - PRIVATE POLLUTION INSURANCE IS REQUIRED

Responsible party's (RPs) for all operating stations and other commercial fuel dispensing facilities installed after December 22, 1988, that meet COMM 10 requirements for new underground storage tank (UST) systems, were and are required to carry private pollution insurance after December 31, 1995 unless they meet the test of self insurance. Releases from these systems after December 31, 1995 are not eligible for PECFA funding.

Releases detected after December 31, 1995, from upgraded UST systems are also not eligible for PECFA funding and private pollution insurance or self insurance has been required from that date forward. However, tank systems upgraded after December 31, 1993 were eligible for PECFA funding if, within 30 days of completing the upgrade, pollution insurance was applied for and a release was detected within 90 days of completing the upgrade.

Releases detected after December 22, 2001, from above ground storage (AST) systems installed or upgraded after May 1, 1991 are not PECFA eligible. Presently, private pollution insurance is not required for AST systems; however, funding to remediate contamination detected after December 22, 2001 is the RPs responsibility.

FILE THOSE CLAIMS

On February 24, 2004, the Wisconsin Department of Commerce (Commerce) sent letters to site owners indicating they had met a PECFA claim submittal milestone, and asked them to file a claim. Subsequent to that letter, Commerce followed up with a phone call, to remind owners to file their claims by July 1, 2004 or interest costs could be denied.

Due to the lack of response to the request, a second letter was sent August 27, 2004, notifying owners they had until January 3, 2005 to submit a claim or interest would be denied beginning January 4, 2005. A total of 107 letters were sent, followed by phone calls to owners and their consultants.

To date, 14% of these claims have not been submitted, and 3% of claims were received after January 3, 2005. Interest will be denied beginning January 4, 2005 until the date the claim is received by Commerce. For example, if a claim was received on January 10, 2005, it will result in the denial of six days of interest from January 4, 2005 through January 9, 2005. Any outstanding claims should be filed as soon as possible to avoid further interest denial.

In This Issue . . .

[Need Help Getting a
PECFA Loan](#)

[Tracker on the Web](#)

[Sampling Criteria
Reminder](#)

[Eric Scott Named Site
Review Section Chief](#)

Page 2

Page 3

Page 4

Page 5

NEED HELP GETTING A PECFA LOAN

In the past couple of years it has become more difficult to obtain a PECFA cleanup loan. Lenders that previously provided PECFA loans are slowly fading into the horizon, thus making it harder for responsible parties (RPs) to obtain financing for petroleum cleanups.

As a result, Commerce conducted a survey of all lenders that previously had participated in the PECFA loan assignment process. The goal was to find out which lenders are still interested in providing PECFA loans and subsequently provide a list for RPs and consultants to reference. The response received was surprising. Of the 475 previously participating lenders, 27 returned a response indicating they would still consider writing PECFA loans.

You can find the list on the PECFA web page at:

http://commerce.wi.gov/ERpdf/ER-PECFA-Lender_List_Yes_5-10-04.pdf

While Commerce cannot guarantee that lenders on this list will approve a PECFA loan, it is a reference for RPs who need assistance in financing a cleanup. Commerce strives to maintain good working relationships with lenders and, if necessary, may act as a liaison between the lender and the owner to ensure sites don't stall and cleanups continue moving toward closure.

PECFA FINANCIAL UPDATE

PECFA started fiscal year 2005 with allocated funds of \$68 million and a carry-over from fiscal year 2004 of \$18.2 million, resulting in a total of \$86.2 million for claim reimbursements prior to July 2005. The carry-over funds were from revenue bonds. Of the \$86.2 million, PECFA has paid approximately \$26 million in claims, leaving approximately \$60 million dollars for reimbursements through June 30, 2005.

Commerce currently has a six week backlog of claims waiting to be audited, resulting in an eight to ten week turnaround for reimbursement payments. Priority claims are audited approximately one week from the date they are received and payments are made at the next scheduled payment date following the audit.

Links for the monthly accounting reports and for the claims received vs. claims backlog information are as follows:

<http://commerce.wi.gov/ER/ER-PECFA-AccountingReportsPage.html>

<http://commerce.wi.gov/ERpdf/ER-PECFA-CLAIMSREPORT.pdf>

***PECFA Post* circulation and a request for Topics of Concern**

We are continuing to move toward total electronic distribution of the *PECFA Post*. To subscribe electronically go to <http://www.commerce.wi.gov/ER/ER-PECFA-News.html#PecfaPost> and scroll down to the subscribe box. You will receive an email to confirm your email address. Upon confirmation you will have been added to the electronic distribution list. If you do not have e-mail, you may call, (920) 303-5410, or write Beth Erdman at ERS Division, Bureau of PECFA, 2129 Jackson Street, Oshkosh WI 54901 and request to be placed on a mailing list.

We are always happy to receive suggestions for future *Post* topics or comments on current articles. Please use contact Beth Erdman at berdman@commerce.state.wi.us or mail suggestions or topics to the address listed above.

TRACKER ON THE WEB

In an effort to make information more accessible, Commerce has placed parts of the database that the Site Review and Claims sections use for tracking decisions, on the web. This information can be found on the PECFA web site at: <http://commerce.wi.gov/ER/ER-PECFA-Home.html>. A single click on the link titled "Tracker on the Web" will move you to the search page for the application. Site searches can be completed using the following search options: Commerce number (no hyphens), BRRTS number (no hyphens), site address, as well as others. Once your site or sites pop up, click on the appropriate Occurrence ID (blue link) and the information will be displayed.

Here is a list of some of the codes used in Tracker:

SI = Site investigation Report

This submittal entry means that a Site Investigation Report has been submitted and, depending on approval or disapproval status, there may be additional submittals immediately following this activity.

RA = Remedial Action

This submittal entry is an approval or denial for a number of sub-codes; .338, .337, .335, etc. These are Comm 47 sub-codes that are being applied to the remedial action plan.

CLS = Closure

This submittal entry can be entered multiple times. Where only one entry appears, and is approved, the case is likely conditionally closed and Commerce is waiting for the documentation required prior to issuing a final closure letter. If the site was closed in the early to late 90's, likely it is a soil only site and only one closure entry may be present.

Be aware that the information in Tracker is from the current PECFA database. Some of this data, including but not limited to, eligibility, tank type and maximum reimbursement amount, is subject to change based on new information that is received.

REPORTING TO BEGIN MAY 1, 2005

Reporting for PECFA sites is to begin May 1, 2005, and continue a minimum of 30 days past the effective date of the revised Administrative Rule, Comm 47. The deadline for reporting will be posted on the PECFA web site when it has been confirmed. This year, two forms are to be completed: an Annual Reporting form and an Occurrence Classification form. These forms can be completed on the web through a link labeled Annual Site Reporting Page, which will be available on the PECFA web site (<http://commerce.wi.gov/ER/ER-PECFA-Home.html>) starting May 1, 2005.

After selecting the reporting link on the PECFA home page, you will be prompted to enter the Commerce number for the site for which you are reporting; you will then be guided through the process of completing and submitting the required information for each occurrence. To prevent errors, please read each page (form) in its entirety before answering the questions. Examples will be available on the reporting web site to allow you to prepare answers.

The Annual Reporting form includes questions similar to those included in previous questionnaires and is required for all open sites. The Occurrence Classification form is to be completed for only those sites that have *not* been included in the competitive public bidding process or home heating oil tanks.

If you do not have to complete the Occurrence Classification form, the program will not permit you to proceed into the Occurrence Classification page and it will prompt you to submit the

Annual Reporting form once it is completed. If your occurrence requires you to complete the Occurrence Classification form, the program will transition into this page and will not allow you to submit any information until the Occurrence Classification form is completed.

All registered PECFA consultants will receive a reminder letter, prior to May 1, 2005, providing additional details. This year there will be no personal identification numbers required and either consultants or claimants may complete the questionnaires. However, an occurrence may only be reported once. Commerce strongly encourages you to complete your reporting requirements soon after the web site becomes available May 1, 2005. Note that the revised Comm 47 rule states that the Occurrence Classification form must be completed within 30 days of the effective date of the rule or no additional PECFA funds will be reimbursed.

Questions regarding reporting should be directed to Shawn Wenzel, 608-261-5401, or siteclassification@commerce.state.wi.us.

SAMPLING CRITERIA REMINDER

When collecting samples in the field, Commerce reminds you to sample for the correct analytical criteria. The Wisconsin Department of Natural Resources (WDNR) LUST and Petroleum Analytical and Quality Assurance Guidance identifies the soil and groundwater analysis required for each type of petroleum contamination.

For instance, if the site is contaminated with fuel oil, soil should be analyzed for diesel range organic compounds (DRO), volatile organic compounds (VOCs)/petroleum volatile organic compounds (PVOCs) and polycyclic aromatic hydrocarbons (PAHs). When a compound has been detected above the laboratory limit of detection in groundwater, a second sample must be analyzed to verify its presence and concentration.

Case closures are often delayed due to inadequate or improper sampling. Therefore, Commerce requests that consultants confirm that the correct analyses have been conducted with regard to the known petroleum product release for the site.

COMMERCE WELCOMES MARY BURKE

On January 25, 2005, Governor Doyle announced the appointment of Mary P. Burke as the new Secretary of the Wisconsin Department of Commerce, replacing Cory Nettles, who returned to the private sector at the end of 2004. Governor Doyle describes Secretary Burke as "not only a Wisconsin native but a real success story."

Prior to coming to Commerce, Secretary Burke was the Director of Forecasting and Planning for Trek Bicycle as well as directing its European operations. A leader in the community, Ms. Burke has served as the President of the Boys and Girls Club of Dane County for the past three years. While there, she helped spearhead a \$6 million fundraising drive to open a second location in Madison.

Secretary Burke holds a degree in Finance from Georgetown University and a MBA from Harvard Business School. She also is a member of the Dean's Advisory Board at the University of Wisconsin-Madison Business School.

The Bureau of PECFA welcomes Secretary Burke to Commerce!

ERIC SCOTT NAMED PECFA SITE REVIEW SECTION CHIEF

Commerce is pleased to announce that Eric Scott has accepted the position of PECFA Site Review Section Chief vacated by Lori Huntoon. Many recognize Eric as an important part of the PECFA program for more than 12 years.

Following careers in horticulture and private environmental consulting, Eric joined the PECFA program in 1992. His original position included both claim auditor and technical reviewer of petroleum contaminated sites. Since then, Eric has held positions as Outreach Coordinator, Senior Hydrogeologist and most recently, Advanced Hydrogeologist. Eric has also been instrumental in the reorganization of the PECFA program.

Please join us in welcoming Eric to his new position as the Site Review Section Chief. Eric can be reached at escott@commerce.state.wi.us or by phone at (608) 266-8516.

FAREWELL TO ROSEMARY FISCUS

Rosemary Fiscus (Rosie) retired from the Commerce Bureau of PECFA Claim Review Section on March 4, 2005. Rosie, who has worked for the state for 27 years, started in February 1978 as a Data Entry Operator for the Department of Industry, Labor and Human Relations (DILHR). She subsequently worked for the Department of Health and Social Services (DHSS) as a program assistant for the Bureau of Quality Compliance, as a supervisor and training officer for the Bureau of Economic Support, and as a program planning analyst for the Energy Program in the Bureau of Economic Support prior to joining the Bureau of PECFA as a claim reviewer in July 2001.

Rosie has been the “party planner”, the poet laureate, the cheerleader and the “Ask Rosie” for the Madison claim review section. She is leaving us to enjoy retirement with her husband of 35 years, Dave. Rosie and Dave plan to travel, spend time with their grandchildren, and drive/ride motorcycles. Her other hobbies include snowmobiling, camping, golf, cooking, baking, walking and bowling. In addition, Rosie is an active member of the Eastern Star organization.

Commerce would like to wish Rosie all the best in her retirement.

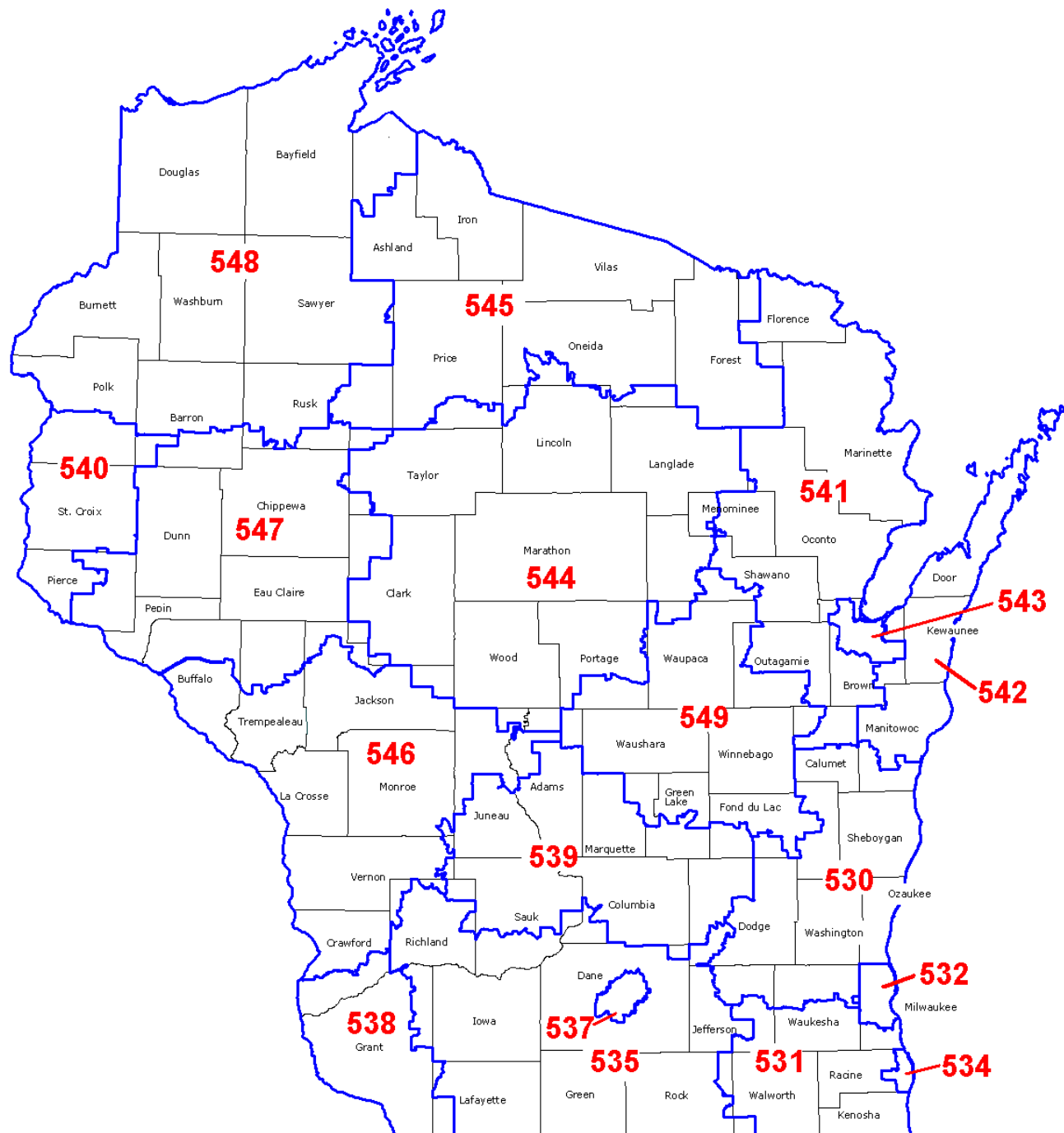
INTERSTATE TECHNOLOGY REGULATOR COUNCIL AND PECFA

Over the past two years Shawn Wenzel, senior hydrogeologist, with Commerce site review section, has been an active member with the Interstate Technology Regulator Council (ITRC). During this time, Shawn has been a member of the Sampling, Characterization and Monitoring (SCM) team and was also involved with the Mitigation Wetlands team for approximately one-year. The teams developed guidance documents that are either going to be published or have been published.

As of December 2004, Shawn stepped down from ITRC to allow co-workers the opportunity to participate in the organization. Commerce is pleased to announce that site review senior hydrogeologist's Gena Larson, Madison office, will replace Shawn on the SCM team and Steve Mueller, Milwaukee office, will join the Risk Assessment Resources team.

PECFA looks forward to continued active involvement with ITRC. Two representatives will allow Commerce to stay abreast of current technologies, resulting in a more educated staff ready to serve you. To learn more about ITRC, check out their website at www.itrcweb.org.

PECFA SITE REVIEW ZONE COVERAGE MAP



PECFA SITE REVIEW ZONE CONTACT INFORMATION

Bureau Director Oscar Herrera (608) 266-7605 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Section Chief Site Review Section Eric Scott (608) 266-8516 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044	
Program Assistant Cathy Voges (608) 261-7717 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Program Assistant Kristi Prindle (608) 267-3753 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044	
ZIP CODE STARTING WITH:		CONTACT INFO (click on project manager name to send email):	
530, 531, 532, 534		Lee Delcore (414) 220-5403 Stephen Mueller (414) 220-5402 Jennifer Skinner (414) 220-5373 Greg Michael (414) 220-5375 Monica Weis (414) 220-5361 Linda Michalets (414) 220-5376	WI Dept of Commerce 101 W Pleasant St Suite 100A Milwaukee WI 53212-3963 FAX 414-220-5374
535		Ralph Smith (608) 261-6543 Alan Hopfensperger (608) 266-0562	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381
537		Jon Heberer (608) 261-5405	
538		Andrew Alles (608) 261-8509	
539, 546		David Swimm (608) 264-8766 Gena Larson (608) 261-5404	
540		Shawn Wenzel (608) 261-5401	
545		David Blair (608) 261-2515	
548		Will Myers (608) 261-7718	
544		Brian Taylor (608) 266-0593	
547		Dee Zoellner (715) 342-3802	WI Dept Of Commerce 2715 Post Rd Stevens Point WI 54481-6456 FAX 715-345-5225
542, 543		Tim Zeichert (715) 345-5307	WI Dept Of Commerce 2129 Jackson St Oshkosh WI 54901-1805 FAX 920-424-0217
549*		Robert Klauk (920) 424-0046	
541		Tom Verstegen (920) 424-0025	
		Beth Erdman (920) 303-5410	

*Outagamie, Winnebago, Fond du Lac Counties are project managed by Robert Klauk and the remainder of 549 sites including the City of New London are managed by Dee Zoellner.

PECFA CLAIM REVIEW CONTACT INFORMATION

Bureau Director Oscar Herrera (608) 266-7605 WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Section Chief Claim Review Section Dennis Legler (608) 267-7642 WI Dept Of Commerce 201 W Washington Ave PO Box 7838 Madison WI 53707
Position	CONTACT INFO (click on claim reviewer name to send email):	
Claim Review	Jean Beckwith (608) 266-6796 Linda Collier-Thompson (608) 267-5264 Russel Haupt (608) 267-7538 Lorraine Narvaez (608) 261-7716 Tim Prosa (608) 261-7715	WI Dept of Commerce 201 W Washington Ave PO Box 7838 Madison WI 53707 FAX 608-267-1381
Initial Claim Eligibility	Renee Dickey (608) 264-8765	
Commodity Bid Waivers	Mary Ann Gosda (608) 266-9420	
Appeals Field Audit	James Moser (608) 267-1394	
Appeals Coordinator-Initial Contact for Appeals	Laura Pleasants (608) 261-2511	
Initial Claim Review	Diane Ploessl (608) 261-7723	
Appeals and Emergency Action	Darin Powers (608) 261-6544	
Financial Manager-Payment Issues	Dottie White (608) 266-3713	WI Dept of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708 FAX 608-267-1381
Program Assistant	Kristi Prindle (608) 267-3753	
Field Auditor	Carl Kramer (262) 635-1321	